G. R. S. IX-5]

Previous references.

1929/20.
(P.P.)

File No. 149/19

Serial Nos. 1–4

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Forms

Part B for Feb 1921

SUBJECT.

Adjustment of the contingent expenditure incurred by Marriage Registrar under the Indian Christian Marriage Act.

(Sd) To, The Comptroller & Auditor General of India.

No 13244-52 Dt 11.1.21

Issue instructions regarding ——— for the Grant Examination of marriage certificates &c.

WD 2285—GPB—20,000—14-6-20

46/

G. R. S. III—1] 1919-20

GENERAL AND REVENUE SECRETARIAT.

(P. P.)

NOTES.

File No. 149-19

FILE HEADING.

Adjustment of the Expenditure incurred by Marriage Registrars under the Indian Christian Marriage Act -

From The J. A. Resident

No. 4175 Dated 11-5-20. Received 12-5-1920

Diary No. 1934 0. Enclos. 1 Spare Copies. — Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards for remarks a copy of letter no. E 124 of 19th April 1920 from Registrar General of Births Deaths & Marriages, Madras enquiring whether the procedure prevailing in Madras regarding the adjustment of the contingent charges by Marriage Registrars, cannot be adopted by Marriage Registrars in Mysore. Case worked up afresh as directed by the Asst Secy. —

NOTES AND ORDERS.

NOTES—First Sheet.

G. R. S. III-2]

General and Revenue Secretariat. | P. P File No. 149 of 1917

Serial No.

The Indian Christian Marriage Act 1872 was with the exceptions of certain portions thereof made applicable to Mysore in 1875, so far as regards marriages between persons one of whom is a Native Christian subject of Mysore and neither of whom is a Christian British subject. (Government of India Notification No. J. 176, dated 31st December 1875.)

5

Under Sections 6, 7 and 9 of the Act persons are from time to time appointed and licensed to solemnize marriages between Native Christians in Mysore. Certain registers are prescribed in Section 37 and 62. The Marriage Registrars and those licensed to solemnize marriages between Native Christians have to send these registers and extracts prescribed in the above 2 sections direct to the Secretary to Govern ment, General Department (Vide G.O. No. 5285-320/Mis. F.267-92, dated 4th November 1895).

Sections 28 to 36 which deal the Registration of Marriages of persons not being Native Christians are not in force in Mysore. The two cases referred to in the Residency communication relate to marriages between British subjects.

It is stated that the Madras Government have directed that the expenditure incurred in excess of the fees collected by Marriage Registrars may be re-couped by the submission of bills to Treasuries with the countersignature of the District Magistrate.

The original papers relating to this subject are not available - the only section of the file which was found is sent herewith

File 267/92

NOTE—Contn. sheet.

G. R. S. III-2].

General and Revenue Secretariat.

P. P. File No. 169 of 1919.

Serial No.

District Magistrates in Mysore have no control over the Marriage Registrars. The only order issued in Mysore re. fees appears to be the one issued with Government Notification No. 351, dated 22nd January 1875 which directs that the rules and the scale of fees prescribed by the Government of India shall be adopted and followed in regard to marriages between Native Christians. Information is not available as to whether the fees recovered by Marriage Registrars in Mysore are credited to the Imperial Revenues or to the State Funds. The Comptroller may be consulted if considered necessary.

As the Act is applicable to the State only as regards Native Christian subjects of His Highness and the Marriage Registrars are required to send to this Government only the register prescribed in Section 37 when filled up, the expenditure incurred therefor may not be much. What the Rev. Rees refers to, relates to the correspondence re. marriages of British subjects and the charges must be borne by the British Government. If necessary, payments may be made at the Mysore Treasuries, the same being included in the His Majesty's Service Accounts. There appears to be no necessity for the Durbar meeting such charges.

A draft reply is put up.

NOTE—Contn. sheet.

2/7/20

G. R. S. III-2]

General and Revenue Secretariat.

File No. 1169 of 1919.

Serial No.

The above note and a draft reply have been prepared on the lines suggested by the Chief Sec.[y] at a personal discussion of the question. The text of the rules have been examined, and the draft put up explains the situation so far as the State is concerned. The Comptroller may be consulted a.o. as regards suitability of Rupee vs. payment arrangements.

(Chief Sec.[y]) yes please

Forwarded accordingly to the Comptroller, with Compliments, in favour of opinion as to the suitability of the proposals in the draft. By order,

for Chief Sec.[y]

16-R 8/7/20

U.O.No.86/Books dated 10th July 1920.

The contingent bills presented by the Marriage Registrars may be allowed to be cashed in Mysore Treasuries but as such amounts are recoverable from the British Government, they will have to be adjusted through the Jamakharch Accounts with the Hon'ble the Resident's Treasury. Hence the words "Through His Majesty's Jamakharch Accounts with the Hon'ble the Resident's Treasury at Bangalore" may be added after the words "adjustment" in the last sentence of the draft letter.

Comptroller.

CONTROLLER'S OFFICE * BANGALORE. * 9 JUL 1920

CHIEF SECRETARIAT POLITICAL BRANCH 12 JUL 1920

Note—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

PP File No. 149 of 1919.

Serial No.

Draft added to and submitted.

14/7

(Asst Sec)

For approval

Dewan

14/7/20

DEWAN'S OFFICE.
Recd. on JUL 21 1920
Reg. No. 477

Draft appd by Dewan
14/7

Issue

16/7/20

2 To The First Asst Resident
No Pol 121 of 27.7.20.
States that the Charges incurred for postage etc should be born by the Govt of Madras for the reasons given in the letter and if it is considered desirable for facilities of payment the bills can be cashed in the Imperial Treasuries

Secs B 2
CHIEF SECRETARIAT
II
POLITICAL BRANCH
29 JUL 1920

3 From
The H.H.R.
No 1025-1 dt 22/11/20
Forwarding for information & necessary

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

PP File No. 1119 of 1919.

Serial No.

Action a copy of his letter to Rev. D.H. Rees: Subd with a draft
2/12 MK 11/12
(Chief Secr) Issue approved by
H Scott Kty
Subd & Financial Secr 18/12

MK 18/12

(Secy) 23-12-20 18/12

(Chief) 18/12

Submitted
23/12/20 Issue
MK 24/12

4. To The Comptroller to Govt.
" Dy Comrs of Dts
No G 13244-52/PP 1119/19/1/21
Issues instructions regarding the adjustment of contingent expenditure incurred by the Marriage Registrar for the transmission of marriage certificates

NOTE—Contra sheet.

REGISTERED NO. 1416-20
19 DEC 1920
MANGALORE.
CHIEF SECRETARIAT
POLITICAL BRANCH
23 DEC. 1920
CHIEF SECRETARIAT
POLITICAL BRANCH
26 FEB. 1921

Pol 1521

MYSORE RESIDENT'S OFFICE,

Bangalore, 11th May 1920

No. 4175

DIARY NO. 1934

SECRETARIAT
POLITICAL BRANCH
12 MAY 1920

Chief Secy
MAY 1920

and of its 149-19

A copy of the marginally noted letter, with enclosure, is forwarded, with compliments, to the Chief Secretary to the Government of H. H. the Maharaja of Mysore, with the request that the information asked for may kindly be furnished to this Residency.

No. E. 124 dated 19-4-20
from the Registrar-General of Births, Deaths & Marriages, Madras

PVP
11-5-20

for First Assistant Resident.

R. O. 178.—R. P. B.—1-1920.—1,000.

Letter No.E.124-1 dated the 19th April 1920 from the Registrar-Genera of Births, Deaths and Marriages, Madras, to the First Assistant to the Hon'ble the Resident in Mysore, Bangalore.

I have the honour to enclose copy of a letter dated the 9th March 1920, received from the Rev. D.A. Rees, Marriage Registrar, Bangalore City, in which he requests that he may be given some allowance to meet the expenditure which he now incurs out of his own pocket on postage and stationery for the transmission of marriage certificates. In this Presidency, under the instructions issued by the Government of Madrs (G.O. 930. Public, 5th December 1905) expenditure incurred by Marriage Registrars who are <u>not</u> Government officials <u>in excess</u> of the fees which they collect, is recouped by them as soon as it is incurred, or once a month, by the submission to the treasury of bills countersigned by the District Magistrate. I have the honour to request that you will be so good as to inform me whether a similar procedure cannot be adopted by Marriage Registrars in the Mysore State and if this course is feasible I request that the requisite instructions may be issued to the Marriage Registrars in Mysore.

Enclosures to letter E.No.124-1 dated the 17th April 1920.

I

Letter -- From the Regr. Genl. of Births, Deaths & Marriages, Madras
To --The Rev. A. Brockbank, Wesleyan Mission, Tumkur, (Mysore Stat
Dated -- The 14th February 1920
No. -- E.76

I have the honour to return the certificate of marriage of Gomez-Edwards received from you and to request that you will be so good as to

good as to enter on the face of the certificate a statement as to whether the parties claim to be European British subjects and retransmit the certificate to me through the Marriage Registrar of your district, as required by section 34 of the Indian Christian Marriage Act, 1872.

II

Letter -- from the Registrar General of Births, Deaths and Marriages, Madras.
To -- the Rev. A. Brookbank, Wesleyan Mission, Tumkur, (Mysore State)
Dated -- the 21st February 1920
No. -- E. 76-1

I have the honour to enclose the certificate of marriage of Hayes-Starling received from you and to inquire whether the parties to the marriage are Indian Christians. The certificate purports to be a true extract from the Register book of marriages kept by you under section 62 (in Part VI) of Act XV of 1872 which part has reference only to marriage of Indian Christians.

If the parties are not Indian Christians, the procedure indicated in Part III of the Act should have been followed, and the entry of marriage should have been recorded in the marriage register book kept by you under section 32 of the Act. In case the parties are not Indian Christians and you have observed the procedure indicated above, please enter on the face of the certificate a statement as to whether the parties claim to be European British subjects and transmit the certificate to me through a marriage Registrar as required by section 34. The following are the Marriage Registrars in Mysore and the certificate may be sent through the marriage Registrar who is nearest to you:-

1. Rev. Thomas Patient --- Brethern Mission --- Malavalli.
2. Rev. D.A. Rees --- Wesleyan Mission --- Bangalore City.
3. Rev. H. Gulliford --- Wesleyan Mission --- Mysore City.

III

Letter -- W.E. Tomlinson, Superintendent, Wesleyan Mission, Gubbi.
To -- the Registrar of Births, Deaths & Marriages, Madras.
Dated -- the 24th February 1920
No. -- Nil

I have the honour to say, in reply to your letter to Rev. A. Brockbank of date February 21, returning the marriage certificate of the Sharling-Hayes Marriage, that Mr. Brockbank went on furlough to England last week. His successor has not yet arrived but is expected within a month or so, the Rev. H.H. Newham. I will hand over your letter to him as soon as he arrives and it will be most promptly dealt with, I doubt not. I hope that no serious inconvenience will be caused by this delay. If there is inconvenience, I will try to deal with the matter myself, on hearing from you that you wish that.

IV

Letter -- from the Registrar General of Births, Deaths and Marriages, Madras.
To -- the Rev. W.E. Tomlinson, Wesleyan Mission, Gubbi, (Mysore State)
Dated --, the 2nd March 1920
No. -- E.103

In reply to your letter of the 24th February 1920, I have the honour to request in order to save delay that you will be so good as to deal yourself with the matters referred to in my letters No.E.76 dated 14th February 1920 and E.76-1 dated the 21st February 1920 if possible.

Enclosure.

Letter from the Rev. D.A. Rees, Marriage Registrar, Bangalore City To the Registrar-General of Births, Deaths and Marriages, Madras: Dated the 9th March 1920.

With reference to your letters E.76 of 14th February and E.76-1 of the 21st February to the Rev. A. Brockbank and your letter E.103 of 2nd March to the Rev. W.E. Tomlinson, I have the honour to state that the two certificates have been sent to me and will be dealt with and forwarded.

In your letter E.76-1 of February 21st, you give a list of Marriage Registrars in Mysore, namely, Mr. Thomas Patient, the Rev. H. Gulliford and myself. Please note that Rev. H. Gulliford no longer resides in the Mysore State, but in Coonoor. It is therefore clear that all such certificates will be sent to me to be dealt with. The Rev. A.R. Slater of Hassan was instructed by you to send a certificate to the Marriage Registrar of his district. He has asked you who holds that office and as I know there is none, it is probable that you will instruct him to send the certificate to me.

It therefore appears as though all the certificates of marriages of European British subjects, in the Mysore State, excluding the C & M Station of Bangalore will come to me. I have no objection to do this work, but I think it is only right that I should ask for some allowance for so doing. At present I have to use my own station-ery, pay postage in some cases, and do the work for nothing.

I shall feel obliged if you will consider the matter and see what can be done. I raised the question once before.

/True Copy/

A.R. Rees

Registrar,

Resident's Office.

PP 149-19-2.

To

The First Assistant to the Hon'ble the
Resident in Mysore.

Sir,

With reference to your endorsement No. 4175, dated 11th May 1920, regarding the adjustment of the contingent expenditure incurred by Marriage Registrars in Mysore appointed under the Indian Christian Marriag Act 1872, I am directed to state that under Government of India Notification, Foreign Department No. 176, dated 31st December 1875, this Act is in force in Mysore only so far as regards marriages between persons one of whom is a Native Christian subject of Mysore and neither of whom is a Christian British subject.

The certificates referred to in the correspondence relate to marriages of persons not being Native Christians which - - under Section 34 have to be forwarded by Marriage Registrars to the Registrar General of Births, Deaths and Marriages in Madras. Section 28 to 36 which relate to marriages of persons not being Native Christians have not been made applicable to Mysore. The Durbar, therefore, consider that the charges incurred for postage etc., in these cases should be borne by the Madras Government. If for facility of payment it is considered desirable to cash such bills in the Mysore Treasuries, the Durbar will ~~have no objection for arranging~~ glad to arrange for such payments ~~subject~~ this matter

Rel 789

R. O. 2.—R. P. B.—2-1920.—5000.

No. 10248
55/1691.

FROM

MAJOR C. T. C. PLOWDEN, I. A.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

Rev. D. A. Rees,
Wesleyan Mission,
Bangalore City.

Dated Bangalore, 22nd November *19* 20

SIR,

I am directed to refer to your letter dated the 9th March 1920, to the address of the Registrar General of Births, Deaths and Marriages, Madras, and to say that in future any expenditure incurred by you, as Marriage Registrar, in excess of the fees which you collect, may be recouped as soon as it is incurred, or once a month by the submission of bills for the amount, to any Treasury in the Mysore State.

REV. SECTT. 23 NOV. 1920

I have the honour to be,
Sir,
Your most obedient servant,

sd. T. Plowden
FIRST ASSISTANT RESIDENT.

No. 10251

Copy to -

(1) The Registrar General of Births, Deaths and Marriages in

G.R.S. VI–71]

SUBJECT.....

Diary No. of letter replied to.....

Section
File No. 149-19
Serial No. 4

General and Revenue Secretariat

( )

, the 191

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue..... 11/1

Signed by..... M C BN

Read—

(1) ~~the~~ Memo No 4175 M. 11-5-20 from the Y.H.R. forwarding for remarks the following letter No L-124-1 M 19-11-20 from the Regr Genl, Births, Deaths & ~~Marr~~ Marriages Madras to the Y.H.R.:— L Here enter the letter & Rev Rees' letter refd to therein

Order Thereon No.

(2) Letter No Pol 1214 27-7-20 to the Y.H.R. L Here enter the letter J

(3) Memo No 1025-1 M

May this be

i Printed ?

ii treated as a standing order ?

~~iii published in the Gazette, English Part ?~~

~~iv translated ?~~

~~v placed at the disposal of the press ?~~

~~vi published in the Gazette, Kannada Part ?~~

(11)
5/11

10281 W 22/11/20 from
the F.H.R. forwarding
for information and
necessary action a
copy of the following
letter No 10248. W 22/11/20
to Rev. D.H. Rees, Wesleyan
Mission, Bangalore City.
& Here enter the letter I

Order No

Communicated
to the Comptroller
for information and for issue of
Guidance. issuing instructions suitable instructions
to the Treasuries in the State.

1WK
10/12
for Chief Secy
2/

List of enclosures.

To

The Comptroller
The Way Commissioner

Copied by

Examined by

WD 1744—GPB—30,000—17-3-19

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. G. 13244-52—P. P. 149-19-4, dated 11th January 1921.

Marriage Certificates.

Issues instructions regarding the adjustment of contingent expenditure incurred by the Marriage Registrar for the transmission of—.

W D 1364—GPB—12-2 21—380

Marriage Certificates

No. G. 13244-52—P. P. 149-194, DATED 11th JANUARY 1921.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE DEPARTMENTS.

READ—

Memo No. 4175, dated the 11th May 1920, from the First Assistant to the Honourable the Resident in Mysore, forwarding for remarks the following letter No E 124-1, dated the 19th April 1920, from the Registrar General of Births, Deaths and Marriages, Madras, to the First Assistant to the Honourable the Resident in Mysore.

I have the honour to enclose copy of a letter dated the 9th March 1920, received from the Rev. D. A. Rees, Marriage Registrar, Bangalore City, in which he requests that he may be given some allowance to meet the expenditure which he now incurs out of his own pocket on postage and stationery for the transmission of marriage certificates. In this Presidency, under instructions issued by the Government of Madras (G. O 930 Public, 5th December 1905) expenditure incurred by Marriage Registrars who are *not* Government officials *in excess* of the fees which they collect is recouped by them as soon as it is incurred, or once a month by the submission to the treasury of bills countersigned by the District Magistrate. I have the honour to request that you will be so good as to inform me whether a similar procedure cannot be adopted by Marriage-Registrars in the Mysore State and if this course is feasible, I request that the requisite instructions may be issued to the Marriage Registrars in Mysore.

Letter dated the 9th March 1920 from the Rev. D. A. Rees, Bangalore City to the Registrar-General of Births, Deaths and Marriages, Madras.

With reference to your letters E. 76 of 14th February and E. 76-1 of the 2nd March to the Rev. W. E. Tomlinson, I have the honour to state that the two certificates have been sent to me and will be dealt with and forwarded.

In your letter E. 76-1 of February 21st, you give a list of Marriage Registrars in Mysore, namely Mr. Thomas Patient, the Rev. H. Gulliford and myself. Please note that Rev. H. Gulliford no longer resides in the Mysore State but in Coonoor. It is therefore clear that all such certificates will be sent to me to be dealt with. The Rev. A. R. Slater of Hassan was instructed by you to send a certificate to the Marriage Registrar of his district. He has asked you who holds that office and as I know there is none, it is probable that you will instruct him to send the certificate to me.

It therefore appears as though all the certificates of marriages of European British Subjects in the Mysore State excluding the Civil and Military Station of Bangalore will come to me. I have no objection to do this work but I think it is only right that I should ask for some allowance for so doing. At present I have to use my own stationery, pay postage in some cases and do the work for nothing

I shall feel obliged if you will consider the matter and see what can be done. I raised the question once before.

2. *Letter No. Pol. 121, dated 27th July 1920, to the First Assistant to the Honourable the Resident in Mysore.*

With reference to your endorsement No. 4175, dated the 11th May 1920, regarding the adjustment of the contingent expenditure incurred by Marriage Registrars in Mysore appointed under the Indian Christian Marriage Act, 1872, I am directed to state that under Government of India Notification, Foreign Department, No J. 176, dated 31st December 1875, this Act is in force in Mysore only so far as regarbs marriages between persons one of whom is a Native Christian subject of Mysore and neither of whom is a Christian British subject.

The certificates referred to in the correspondence relate to marriages of persons not being Native Christians which under section 34 have to be forwarded by Marriage Registrars to the Registrar-General of Births, Deaths and Marriages in Madras. Section 28 to 36 which relate to marriages of persons not being Native Christians have not been made applicable to Mysore. The Durbar, therefore, consider that the charges incurred for postage, etc., in these cases should be borne by the Madras Government. If for facility of payment it is considered desirable to cash such bills in the Mysore Treasuries the Durbar will be glad to arrange for such payment being made subject to adjustment through His Majesty's Jamakarch accounts with the Honourable the Resident's Treasury at Bangalore. The need

however for the local District Magistrates countersigning the bills preferred by Marriage Registrars will not then be apparent.

3. *Memo No. 10251, dated the 22nd November 1920, from the First Assistant to the Honourable the Resident in Mysore, forwarding for information and necessary action a copy of the following letter No. 10248, dated 28th November 1920, to Rev. D.A.Rees, Wesleyan Mission, Bangalore City.*

"I am directed to refer to your letter dated the 9th March 1920 to the address of the Registrar-General of Births, Deaths and Marriages, Madras and to say that in future any expenditure incurred by you as Marriage Registrar in excess of the fees which you collect, may be recouped as soon as it is incurred or once a month by the submission of bills for the amount to any Treasury in the Mysore State."

Order No. G. 13244-52—P. P. 149-19-4, dated 11th January 1921.

Communicated to the Comptroller to Government for information and for favour of issuing suitable instructions to all the Treasuries in the State.

C. S. BALASUNDARAM IYER,
Chief Secretary to Government.

To— The Comptroller to Government.
The Deputy Commissioners of Districts.
Exd.—C. R.